

**TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 9, 2004**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- McGeachin. Total -- 1.

Total -- 70.

Prayer was offered by Terry W. Smith, Executive Director, Health Families.

The Pledge of Allegiance was led by Jamalyn Benson, Page.

Approval of Journal

February 9, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-sixth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

February 5, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 503

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

February 6, 2004

Mr. Speaker:

I return herewith **HCR 36** and **H 565** which have passed the Senate.

WOOD, Secretary

HCR 36 and **H 565** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 9, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 618**, **H 619**, **H 620**, **H 621**, **H 622**, and **H 623**.

FIELD(18), Chairman

H 618, **H 619**, **H 620**, **H 621**, and **H 622** were referred to the Business Committee.

H 623 was referred to the Resources and Conservation Committee.

February 9, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 504** and **H 514** to the Governor at 10:12 a.m., as of this date, February 6, 2004.

FIELD(18), Chairman

February 5, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **HJR 9** and recommend that it do pass.

FIELD(18), Chairman

HJR 9 was filed for second reading.

February 9, 2004

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 581** and recommend that it do pass.

DEAL, Chairman

H 581 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

**HOUSE CONCURRENT RESOLUTION NO. 39
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND EXPRESSING SUPPORT AND ENCOURAGEMENT FOR THE EFFORTS OF THE PULASKI PROJECT IN ACCOMPLISHING ITS IMPORTANT MISSION IN TRIBUTE TO EDWARD PULASKI AND IN ACKNOWLEDGMENT OF THE DEDICATED SERVICE OF ALL PAST, PRESENT AND FUTURE WILDFIRE FIGHTERS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, on August 20, 1910, in the beautiful mountains and forests of northern Idaho and western Montana, known as the "high lonesome," the worst forest fire in American history erupted, burning three million acres of timberland over the course of two days, causing many to believe the fire heralded the end of the world; and

WHEREAS, although in July of 1910, thousands of wildfires were sparked during the driest year in memory, by August 19, 1910, most of the fires were under control until hurricane force winds, blowing up to 80 miles per hour, swept into Idaho and coaxed the remaining fires together, creating a firestorm; and

WHEREAS, firefighters battled the blaze, from which smoke could be seen as far away as Denver, and which spanned from eastern Washington, across Idaho and into Montana; and

WHEREAS, the devastating fire ultimately claimed the lives of eighty-six people; and

WHEREAS, during the afternoon of August 20, 1910, just outside of Wallace, Idaho, Edward Pulaski, a district ranger with the recently created U.S. Forest Service, realized that he and his crew were trapped in the fire and that they could only try to save their lives; and

WHEREAS, being the only one familiar with the backcountry trails, Pulaski led his 45-man crew through fire and smoky darkness to safety in the abandoned Nicholson Mine, now commonly known as the Pulaski Tunnel; and

WHEREAS, in leading the men to safety, Pulaski ordered them to lay face down to keep from suffocating from gas and smoke from the fire and, in the midst of some of the men succumbing to panic, he prevented any of them from leaving the mine, and from certain death, by holding them at bay with his pistol; and

WHEREAS, as timbers at the entrance of the mine caught fire, Pulaski beat out the flames with horse blankets and water from the mine floor that he gathered with his hat; and

WHEREAS, many of the men, including Pulaski, eventually lost consciousness from the heat, smoke and gas, but, in the morning, all but five of the men emerged from the tunnel and hiked back to Wallace, their lives having been spared; and

WHEREAS, Pulaski, who had emerged from the fire a hero, was hospitalized for nearly two months with blindness and pneumonia and carried scars of the firestorm on his hands and face for the rest of his life; and

WHEREAS, in 1984, the U.S. Forest Service placed a monument, dedicated to those who lost their lives in the fire and to Edward Pulaski, on Moon Pass Road near the trail to the Pulaski Tunnel; and

WHEREAS, because over the course of time the trail and adit of the mine have fallen into severe disrepair, a dedicated group launched the Pulaski Project in 2002, in an effort to preserve this important piece of Idaho's history and the history of this country; and

WHEREAS, in addition to serving as a tribute to Edward Pulaski, the Pulaski Project serves as an acknowledgment of the dedicated service despite hardship, peril, and sacrifice, of all past, present and future wildfire fighters; and

WHEREAS, the Pulaski Project focuses on four primary goals: (1) the upgrading of the mine adit and trail that Pulaski and his men used to survive and escape the fire; (2) the creation of a

National Wildfire Education Center and Museum in Silverton/Wallace, whose purpose is to elevate the priority of wildfire and forest management in the region and the nation, as well as to educate the public regarding the shift away from the 100% suppression paradigm that was launched by the great 1910 fire; (3) the upgrading of two collective U.S. Forest Service gravesites at Nine Mile Cemetery; and, finally, (4) the ongoing development of both a web page (see www.pulaski-project.org) and an online discussion group for the furtherance of enlightened and serious discussion of the issues that divide the nation regarding wildfire and forest management today; and

WHEREAS, the Pulaski Project's goals serve the people of Idaho and the nation by commemorating the historical significance of the 1910 fire, and by addressing the importance across Idaho, the northwest, and the nation, regarding wildfires and forest management.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature herein expresses support and encouragement to the Pulaski Project in accomplishing its important mission in tribute to Edward Pulaski and in acknowledgment of the dedicated service of all past, present and future wildfire fighters.

HCR 39 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 624 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TELEPHONE CORPORATIONS; AMENDING SECTION 62-617, IDAHO CODE, TO CLARIFY AND LIMIT THE EXEMPTION FROM ANTITRUST LIABILITY FOR TELEPHONE CORPORATIONS THAT HAVE ELECTED REGULATION PURSUANT TO CHAPTER 6, TITLE 62, IDAHO CODE; AND AMENDING CHAPTER 6, TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 62-622A, IDAHO CODE, TO PERMIT THE IDAHO PUBLIC UTILITIES COMMISSION TO DETERMINE WHETHER A TELEPHONE CORPORATION NOT REGULATED PURSUANT TO TITLE 61, IDAHO CODE, IS PROVIDING BASIC LOCAL EXCHANGE SERVICE AT A PRICE BELOW ITS AVERAGE VARIABLE COSTS AND TO ENABLE THE COMMISSION TO ESTABLISH SUCH PRICE AT THE AVERAGE VARIABLE COST OF PROVIDING SUCH SERVICE.

HOUSE BILL NO. 625 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CITY ELECTIONS AND CAMPAIGN EXPENDITURES; AMENDING SECTION 50-477, IDAHO CODE, TO PROVIDE APPLICABILITY OF CAMPAIGN EXPENDITURE REPORTING TO ELECTIONS ON

CITYWIDE MEASURES AND TO PROVIDE THAT THE CITY ATTORNEY SHALL STAND IN PLACE OF THE ATTORNEY GENERAL WHEN CAMPAIGN REPORTING LAW APPLIES TO ELECTIONS IN CERTAIN CITIES.

HOUSE BILL NO. 626
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO ASSISTED LIVING FACILITIES; AMENDING SECTION 39-3513, IDAHO CODE, TO ESTABLISH THE MAXIMUM STAFFING LEVEL REQUIREMENTS OF A FACILITY.

HOUSE BILL NO. 627
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO WELFARE; AMENDING SECTION 56-202, IDAHO CODE, TO STRIKE A SUNSET CLAUSE TO MAINTAIN AUTHORIZATION TO THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE TO PROVIDE WELFARE ASSISTANCE TO DRUG DEPENDENT PERSONS UPON CERTAIN CIRCUMSTANCES.

HOUSE BILL NO. 628
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO LICENSED RESIDENTIAL OR ASSISTED LIVING FACILITIES, INCLUDING CERTIFIED FAMILY HOMES; AMENDING CHAPTER 35, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3581, IDAHO CODE, TO PROVIDE THAT ELECTRONIC SIGNATURES ARE ACCEPTABLE UNDER THE CONDITIONS SPECIFIED IN RECORDS RELATED TO FACILITIES.

HOUSE BILL NO. 629
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO CODE CODIFIER'S CORRECTIONS; AMENDING SECTION 1-1624, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 291, LAWS OF 2003, TO REDESIGNATE THE SECTION; AMENDING SECTION 23-217, IDAHO CODE, TO PROVIDE A CORRECT CITATION; AMENDING SECTION 23-1303, IDAHO CODE, TO PROVIDE TECHNICAL CORRECTIONS; AMENDING SECTION 31-808, IDAHO CODE, TO PROVIDE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5702, IDAHO CODE, TO PROVIDE TECHNICAL CORRECTIONS; AMENDING THE HEADING FOR CHAPTER 84, TITLE 39, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 231, LAWS OF 2003, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 39-8401, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 231, LAWS OF 2003, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-8402, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 231, LAWS OF 2003, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-8403, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 231, LAWS OF 2003, TO REDESIGNATE THE

SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-8404, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 231, LAWS OF 2003, TO REDESIGNATE THE SECTION; AMENDING SECTION 41-1336, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 85, LAWS OF 2003, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3029E, IDAHO CODE, TO REVISE THE DEFINITION OF "NEW EMPLOYEE"; AMENDING SECTION 65-202, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 630
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SALARIES OF MEMBERS OF THE PUBLIC UTILITIES COMMISSION, THE STATE TAX COMMISSION AND THE INDUSTRIAL COMMISSION; AMENDING SECTION 61-215, IDAHO CODE, TO PROVIDE THAT ON JULY 1, 2004, AND EACH JULY 1 THEREAFTER, THE ANNUAL SALARY OF EACH COMMISSIONER SHALL BE INCREASED BY THE CHANGE IN EMPLOYEE COMPENSATION ADOPTED BY THE LEGISLATURE FOR CLASSIFIED STATE EMPLOYEES, UNLESS THE LEGISLATURE SHALL REJECT SUCH INCREASE IN SALARY BY ADOPTION OF A CONCURRENT RESOLUTION; AMENDING SECTION 63-102, IDAHO CODE, TO PROVIDE THAT ON JULY 1, 2004, AND EACH JULY 1 THEREAFTER, THE ANNUAL SALARY OF EACH COMMISSIONER SHALL BE INCREASED BY THE CHANGE IN EMPLOYEE COMPENSATION ADOPTED BY THE LEGISLATURE FOR CLASSIFIED STATE EMPLOYEES, UNLESS THE LEGISLATURE SHALL REJECT SUCH INCREASE IN SALARY BY ADOPTION OF A CONCURRENT RESOLUTION; AND AMENDING SECTION 72-503, IDAHO CODE, TO PROVIDE THAT ON JULY 1, 2004, AND EACH JULY 1 THEREAFTER, THE ANNUAL SALARY OF EACH COMMISSIONER SHALL BE INCREASED BY THE CHANGE IN EMPLOYEE COMPENSATION ADOPTED BY THE LEGISLATURE FOR CLASSIFIED STATE EMPLOYEES, UNLESS THE LEGISLATURE SHALL REJECT SUCH INCREASE IN SALARY BY ADOPTION OF A CONCURRENT RESOLUTION.

HOUSE BILL NO. 631
BY EDUCATION COMMITTEE
AN ACT

RELATING TO COMMUNITY COLLEGES; AMENDING SECTION 33-2115, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO MAKE A GRAMMATICAL CHANGE AND TO PROVIDE THAT THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS SHALL COOPERATE WITH COUNTY COMMISSIONERS, MAYORS, CITY COUNCILS AND SCHOOL DISTRICT BOARDS OF TRUSTEES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 632
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO POWERS AND DUTIES OF THE BOARD OF TRUSTEES OF EACH SCHOOL DISTRICT; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-520, IDAHO CODE, TO PROVIDE THAT THE BOARD OF TRUSTEES OF EACH SCHOOL DISTRICT SHALL ADOPT A POLICY GOVERNING MEDICAL INHALERS AND SELF-ADMINISTRATION OF MEDICATION; AND DECLARING AN EMERGENCY.

HOUSE JOINT RESOLUTION NO. 10
BY REVENUE AND TAXATION COMMITTEE
 A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO FINANCE AND REVENUE, BY THE ADDITION OF A NEW SECTION 18, ARTICLE VII, TO PROVIDE THAT ANY CHANGES IN STATE TAXES THAT CREATE OR INCREASE A TAX RATE OR REMOVE OR REDUCE A STATE TAX EXCLUSION, EXEMPTION, CREDIT OR DEDUCTION, SHALL REQUIRE THE APPROVAL OF TWO-THIRDS OF THE ENTIRE MEMBERSHIP OF THE HOUSE OF REPRESENTATIVES, TWO-THIRDS OF THE ENTIRE MEMBERSHIP OF THE SENATE, AND THE SIGNATURE OF THE GOVERNOR; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

H 624, H 625, H 626, H 627, H 628, H 629, H 630, H 631, H 632, and HJR 10 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 614 and H 615, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 502, by State Affairs Committee, was read the second time by title and filed for third reading.

H 483, H 486, and H 498, by Business Committee, were read the second time by title and filed for third reading.

H 521, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

HJR 4 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **HJR 4** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langford, Martinez, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 57.

NAYS -- Lake, McKague, Moyle, Raybould, Ridinger, Roberts, Robison, Trail. Total -- 8.

Absent and excused -- Bedke, Harwood, Langhorst, McGeachin, Sali. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, **HJR 4** passed the House. Title was approved and the resolution was ordered transmitted to the Senate.

H 553 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 553** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bedke, Gagner, Harwood, Langhorst, McGeachin. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 553** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 477 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **H 477** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Langhorst, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 477** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 478 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 478** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Langhorst, McGeachin, Moyle. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 478** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 479 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 479** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Langhorst, McGeachin, Moyle. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 479** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 481 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Barrett to open debate.

The question being, "Shall **H 481** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- McGeachin, Smith(24). Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 481** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1239 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1239** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Gagner, McGeachin. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1239** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 484 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block to open debate.

The question being, "Shall **H 484** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Gagner, McGeachin. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 484** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 485 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Douglas to open debate.

The question being, "Shall **H 485** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Kulczyk, McKague, Sali. Total -- 4.

Absent and excused -- Crow, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 485** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 522 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eberle to open debate.

The question being, "Shall **H 522** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 522** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 523 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 523** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner,

Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 523** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 524 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **H 524** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 524** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 586 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 586** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould,

Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- Langford. Total -- 1.

Absent and excused -- McGeachin. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 586** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 588 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 588** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- McGeachin. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 588** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 518 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 518** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- McKague, Ridinger, Smith(24). Total -- 3.
Absent and excused -- McGeachin. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 518** passed the House.
Title was approved and the bill was ordered transmitted to the
Senate.

Mr. Denney asked unanimous consent that the remaining bills
on the Third Reading Calendar retain their places for one
Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the
Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m.,
Tuesday, February 10, 2004. Seconded by Mrs. Boe. Motion
carried.

Whereupon the Speaker declared the House adjourned at
12:07 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk